

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Eric D. Carlson, et al.

Art Unit 1797

Serial No. 10/790,956

Filed March 1, 2004

Confirmation No. 2161

Examiner Lyle Alexander

For EVALUATING EFFECTS OF EXPOSURE CONDITIONS ON DRUG
SAMPLES OVER TIME

March 10, 2008

TO THE COMMISSIONER OF PATENTS,

SIR:

RESPONSE TO RESTRICTION REQUIREMENT

In response to the Restriction Requirement dated January 10, 2008, an election was required between the following inventions and groups of claims related thereto:

- Group I: Claims 1-27 and 89-111, drawn to a method of evaluating a drug under two timed conditions, classified in class 436;
- Group II: Claims 28-61, drawn to a method of evaluating a drug under a single timed condition, classified in class 436;
- Group III: Claims 62-72, drawn to a process for developing a drug that requires the steps of testing for stability and compatibility and subsequent clinical trials, classified in class 514;
- Group IV: Claims 73-88, drawn to a method of testing 40 mg of a drug candidate by exposing the 40 mg to at least one controlled condition and one test, classified in class 514;
- Group V: Claims 112-121, drawn to a method of testing a drug to conditions of controlled light, humidity and temperature, classified in class 607;

- Group VI: Claims 122-130, drawn to a method of generating data, classified in class 700; and,
- Group VII: Claims 131-134, drawn to a computer program product, classified in class 705.

Consistent with the Restriction Requirement, the claims of Group II (claims 28-61) are elected for examination in this application. Applicants reserve the right to file divisional applications directed to the subject matter of the non-elected claims.

Additionally, Applicants call the Office's attention to claim 130, which depends from claims 28-61 (among others). This claim is directed to a data file generated according to the method of claims 28-61. Applicants respectfully request that this claim, to the extent it depends from elected claims 28-61, be included in the elected group of claims and further examined here.

The Commissioner is hereby authorized to charge the fee of \$120.00 for a one-month extension and any additional fees in connection with this Response to Deposit Account Number 01-2384 in the name of ARMSTRONG TEASDALE LLP.

Respectfully Submitted,

/Derick E. Allen/

Derick E. Allen, Reg. No. 43,468
ARMSTRONG TEASDALE LLP
One Metropolitan Square, 26th Floor
St. Louis, Missouri 63102
314-621-5070

DEA/ts
Via EFS